

#5

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: .My residence, post office address and citizenship are as stated below, next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled of the subject matter which is claimed and for which a patent is sought on the invention entitled Peptide Mutant of Human ERAB/HADH2, and Its X-Ray Crystal Structure, And Use Thereof In Drug Design the specification of which:

_____ is attached hereto.
X _____ was filed on August 17, 2001
as United States Application Number _____
or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>
(Number) (Country) (Day/Month/Year Filed)	Yes No
(Number) (Country) (Day/Month/Year Filed)	Yes No
(Number) (Country) (Day/Month/Year Filed)	Yes No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

<u>60/226,123</u>	<u>August 18, 2000</u>
(Application Number)	Filing Date

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I hereby appoint Mark R. Shanks Registration No. 33,781, Toni-Junell Herbert, Registration No. 34,348, Joseph G. Contrera, Registration No. 44,628, Shelly Guest Cermak, Registration No. 39,571, and Christina Gadiano, Registration No. 37,628 of SHANKS & HERBERT, telephone (703) 683-3600, with a mailing address at:

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1033 N. Fairfax St., Suite 306
Alexandria, VA 22314

and

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Full Name of Sole/First Inventor: Melwyn A. Abreo

Inventor's Signature: Melwyn A. Abreo

Date: 9/5/2001

Residence: Jamul, CA

Citizenship: US

(City, State)

(Country)

Post Office Address: 3373 Armagosa Way, CA 91935

Full Name of Second/Joint Inventor: Charles S. Agree

Inventor's Signature: *Charles S. Agree*

Date: 9/15/2001

Residence: San Diego, CA
(City, State)

Citizenship: US

(Country)

Post Office Address: 3415 Lebon Drive, #227, San Diego, CA 92122

Full Name of Third/Joint Inventor: Robert M. Aust

Inventor's Signature: _____

Date: _____

Residence: Alpine, CA

(City, State)

Citizenship: US

(Country)

Post Office Address: 21018 Japatul Road, Alpine, CA 91901

Full Name of Fourth/Joint Inventor: Charles R. Kissinger

Inventor's Signature: _____

Date: _____

Residence: San Diego, CA

(City, State)

Citizenship: US

(Country)

Post Office Address: 6560 Windward Ridge Way, San Diego, CA 92121

Full Name of Fifth/Joint Inventor: Stephen Margosiak

Inventor's Signature: _____

Date: _____

Residence: Escondido, CA

(City, State)

Citizenship: US

(Country)

Post Office Address: 1555 S. Upas Street, Escondido, CA 92025

Full Name of Sixth/Joint Inventor: Jerry J. Meng

Inventor's Signature: *Jerry J. Meng*

Date: 9-15-2001

Residence: San Diego, CA

(City, State)

Citizenship: US

(Country)

Post Office Address: 8912 Gainsborough Avenue, San Diego, CA 92129

Full Name of Seventh/Joint Inventor: Laura A. Pelletier

Inventor's Signature: _____

Date: _____

Residence: Escondido, CA

(City, State)

Citizenship: US

(Country)

Post Office Address: 9610 Yew Lane, Escondido, CA 92029

Full Name of Eighth/Joint Inventor: Paul Abraham Rejto

Inventor's Signature: Paul Rejto

Date: 9/5/2001

Residence: Carlsbad, CA
(City, State)

Citizenship: US
(Country)

Post Office Address: 8037 Paseo Arrayan, Carlsbad, CA 92009

Full Name of Ninth/Joint Inventor: Richard Edward Showalter

Inventor's Signature: _____

Date: _____

Residence: Santee, CA
(City, State)

Citizenship: US
(Country)

Post Office Address: 10222 Michala Place, Santee, CA 92071

Full Name of Tenth/Joint Inventor: James Arthur Thomson

Inventor's Signature: J Thomson

Date: 9/5/2001

Residence: San Diego, CA
(City, State)

Citizenship: Canada
(Country)

Post Office Address: 8931 Haveteur Way, San Diego, CA 92123

Full Name of Eleventh/Joint Inventor: Anna Tempczyk-Russell

Inventor's Signature: _____

Date: _____

Residence: San Diego, CA
(City, State)

Citizenship: Poland
(Country)

Post Office Address: 4785 Caminto Borrego, San Diego, CA 92130

Full Name of Twelfth/Joint Inventor: Darin Vanderpool

Inventor's Signature: Darin Vanderpool

Date: 9/5/01

Residence: San Diego, CA
(City, State)

Citizenship: US
(Country)

Post Office Address: 5008 Capehart Street, San Diego, CA

Full Name of Thirteen/Joint Inventor: Jesus Ernesto, Villafranca

Inventor's Signature: _____

Date: _____

Residence: San Diego, CA
(City, State)

Citizenship: US
(Country)

Post Office Address: 1282 Upas Street, San Diego, CA 92103

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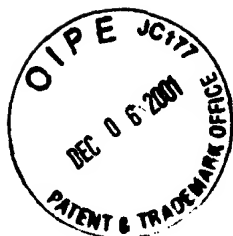
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Full Name of Sole/First Inventor: Melwyn A. Abreo

Inventor's Signature: _____ Date: _____

Residence: Jamul, CA Citizenship: US
(City, State) (Country)

Post Office Address: 3373 Armagosa Way, CA 91935

Full Name of Second/Joint Inventor: Charles S. Agree

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

Post Office Address: 3415 Lebon Drive, #227, San Diego, CA 92122

Full Name of Third/Joint Inventor: Robert M. Aust

Inventor's Signature: *Robert M. Aust* Date: 10-8-01

Residence: Alpine, CA Citizenship: US
(City, State) (Country)

Post Office Address: 21018 Japatul Road, Alpine, CA 91901



Full Name of Fourth/Joint Inventor: Charles R. Kissinger

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

Post Office Address: 6560 Windward Ridge Way, San Diego, CA 92121

Full Name of Fifth/Joint Inventor: Stephen Margosiak

Inventor's Signature: _____ Date: _____

Residence: Escondido, CA Citizenship: US
(City, State) (Country)

Post Office Address: 1555 S. Upas Street, Escondido, CA 92025

Full Name of Sixth/Joint Inventor: Jerry J. Meng

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
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Post Office Address: 8912 Gainsborough Avenue, San Diego, CA 92129

Full Name of Seventh/Joint Inventor: Laura A. Pelletier

Inventor's Signature: _____ Date: _____

Residence: Escondido, CA Citizenship: US
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Post Office Address: 9610 Yew Lane, Escondido, CA 92029

Full Name of Eighth/Joint Inventor: Paul Abraham Reito

Inventor's Signature: _____ Date: _____

Residence: Carlsbad, CA Citizenship: US
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Post Office Address: 8037 Paseo Arrayan, Carlsbad, CA 92009

Full Name of Ninth/Joint Inventor: Richard Edward Showalter

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Residence: Santee, CA Citizenship: US
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Post Office Address: 10222 Michala Place, Santee, CA 92071

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Post Office Address: 4785 Caminto Borrego, San Diego, CA 92130

Full Name of Twelfth/Joint Inventor: Darin Vanderpool

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

Post Office Address: 5008 Capehart Street, San Diego, CA

Full Name of Thirteen/Joint Inventor: Jesus Ernesto, Villafranca

Inventor's Signature: _____ Date: _____

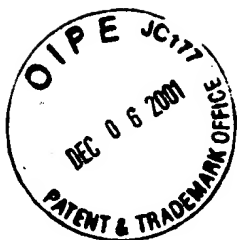
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Post Office Address: 8912 Gainsborough Avenue, San Diego, CA 92129

Full Name of Seventh/Joint Inventor: Laura A. Pelletier

Inventor's Signature: Laura A. Pelletier Date: 10/4/01

Residence: Escondido, CA Citizenship: US
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Post Office Address: 9610 Yew Lane, Escondido, CA 92029

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I hereby appoint Mark R. Shanks Registration No. 33,781, Toni-Junell Herbert, Registration No. 34,348, Joseph G. Contrera, Registration No. 44,628, Shelly Guest Cermak, Registration No. 39,571, and Christina Gadiano, Registration No. 37,628 of SHANKS & HERBERT, telephone (703) 683-3600, with a mailing address at:

TransPotomac Plaza
1033 N. Fairfax St., Suite 306
Alexandria, VA 22314

and

Linda S. Evans, Registration No. 33,873; Aubrey Haddach, Registration No. P-48,374; Ron Myers, Registration No. 43,825; Karl Neidert, Registration No. 39,313; Robert Prince, Registration No. 38,583; Joseph Reidy, Registration No. 39,390; Jeffrey Rennecker, Registration No. 40,784, and Keith D. Hutchinson, Registration No. 43,687, with a mailing address at:

Agouron Pharmaceuticals, Inc.
10350 North Torrey Pines Road
La Jolla California 92037-1020

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

The undersigned hereby authorizes the U.S. Attorneys named herein to accept and follow instructions from undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Full Name of Sole/First Inventor: Melwyn A. Abreo

Inventor's Signature: _____ Date: _____

Residence: Jamul, CA Citizenship: US
(City, State) (Country)

Post Office Address: 3373 Armagosa Way, CA 91935

Full Name of Second/Joint Inventor: Charles S. Agree

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

Post Office Address: 3415 Lebon Drive, #227, San Diego, CA 92122

Full Name of Third/Joint Inventor: Robert M. Aust

Inventor's Signature: _____ Date: _____

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(City, State) (Country)

Post Office Address: 21018 Japatul Road, Alpine, CA 91901

Full Name of Fourth/Joint Inventor: Charles R. Kissinger

Inventor's Signature: Charles R. Kissinger Date: 10/14/2001

Residence: San Diego, CA Citizenship: US
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Post Office Address: 6560 Windward Ridge Way, San Diego, CA 92121

Full Name of Fifth/Joint Inventor: Stephen Margosiak

Inventor's Signature: _____ Date: _____

Residence: Escondido, CA Citizenship: US
(City, State) (Country)

Post Office Address: 1555 S. Upas Street, Escondido, CA 92025

Full Name of Sixth/Joint Inventor: Jerry J. Meng

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

Post Office Address: 8912 Gainsborough Avenue, San Diego, CA 92129

Full Name of Seventh/Joint Inventor: Laura A. Pelletier

Inventor's Signature: _____ Date: _____

Residence: Escondido, CA Citizenship: US
(City, State) (Country)

Post Office Address: 9610 Yew Lane, Escondido, CA 92029

Full Name of Eighth/Joint Inventor: Paul Abraham Reito

Inventor's Signature: _____ Date: _____

Residence: Carlsbad, CA Citizenship: US
(City, State) (Country)

Post Office Address: 8037 Paseo Arrayan, Carlsbad, CA 92009

Full Name of Ninth/Joint Inventor: Richard Edward Showalter

Inventor's Signature: _____ Date: _____

Residence: Santee, CA Citizenship: US
(City, State) (Country)

Post Office Address: 10222 Michala Place, Santee, CA 92071

Full Name of Tenth/Joint Inventor: James Arthur Thomson

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: Canada
(City, State) (Country)

Post Office Address: 8931 Haveteur Way, San Diego, CA 92123

Full Name of Eleventh/Joint Inventor: Anna Tempczyk-Russell

Inventor's Signature: Anna Tempczyk-Russell Date: 11-12-01

Residence: Ramona, CA Citizenship: US
(City, State) (Country)

Post Office Address: 320 Wood Meadow Lane, Ramona, CA 92065

Full Name of Twelfth/Joint Inventor: Darin Vanderpool

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

Post Office Address: 5008 Capehart Street, San Diego, CA

Full Name of Thirteen/Joint Inventor: Jesus Ernesto, Villafranca

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

Post Office Address: 1282 Upas Street, San Diego, CA 92103

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: .My residence, post office address and citizenship are as stated below, next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled of the subject matter which is claimed and for which a patent is sought on the invention entitled Peptide Mutant of Human ERAB/HADH2, and Its X-Ray Crystal Structure, And Use Thereof In Drug Design the specification of which:

_____ is attached hereto.
X _____ was filed on August 17, 2001
as United States Application Number _____
or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

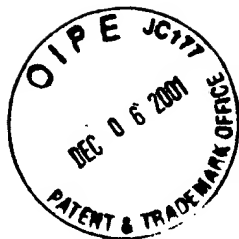
I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<u>Yes</u>	<u>No</u>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

<u>60/226,123</u> (Application Number)	<u>August 18, 2000</u> Filing Date
_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37,



Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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Full Name of Sole/First Inventor: Melwyn A. Abreo

Inventor's Signature: _____ Date: _____

Residence: Jamul, CA Citizenship: US
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Full Name of Second/Joint Inventor: Charles S. Agree

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Residence: San Diego, CA Citizenship: US
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Post Office Address: 3415 Lebon Drive, #227, San Diego, CA 92122

Full Name of Third/Joint Inventor: Robert M. Aust

Inventor's Signature: _____ Date: _____

Residence: Alpine, CA Citizenship: US
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Full Name of Fourth/Joint Inventor: Charles R. Kissinger

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
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Post Office Address: 6560 Windward Ridge Way, San Diego, CA 92121

Full Name of Fifth/Joint Inventor: Stephen Margosiak

Inventor's Signature: Stephen Margosiak Date: 10-7-2001

Residence: Escondido, CA Citizenship: US
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Full Name of Sixth/Joint Inventor: Jerry J. Meng

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
(City, State) (Country)

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Full Name of Seventh/Joint Inventor: Laura A. Pelletier

Inventor's Signature: _____ Date: _____

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Full Name of Eighth/Joint Inventor: Paul Abraham Reito

Inventor's Signature: _____ Date: _____

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Full Name of Ninth/Joint Inventor: Richard Edward Showalter

Inventor's Signature: _____ Date: _____

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Full Name of Tenth/Joint Inventor: James Arthur Thomson

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: Canada
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Inventor's Signature: _____ Date: _____

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Full Name of Twelfth/Joint Inventor: Darin Vanderpool

Inventor's Signature: _____ Date: _____

Residence: San Diego, CA Citizenship: US
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Post Office Address: 5008 Capehart Street, San Diego, CA

Full Name of Thirteen/Joint Inventor: Jesus Ernesto, Villafranca

Inventor's Signature: Jesus Villafranca Date: 10-18-01

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